

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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ROCHELLE M. JONES, et al.,

Plaintiffs,

v.

ORDER & FOURTH AMENDED  
SCHEDULING ORDER

16-CV-0234G

SHERRY W., et al.,

Defendants.

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Plaintiffs having filed a motion for an extension of time to complete discovery (Docket # 138), and this Court having held a telephone status conference with counsel on October 14, 2021, and counsel for defendants having advised this Court on October 14, 2021, that they have no objection to plaintiffs' motion, and good cause having been shown, it is hereby

ORDERED, that plaintiffs' motion for an extension of time to complete discovery (**Docket # 138**) is **GRANTED**. It is further

ORDERED, that this Court's July 13, 2021 Order & Third Amended Scheduling Order (Docket # 137) shall be amended as follows:

1. All factual discovery in this case, including depositions, shall be completed on or before **December 15, 2021**. All motions to compel discovery shall be filed at least thirty (30) days prior to the factual discovery cutoff.

2. Dispositive motions, if any, shall be filed no later than **January 21, 2022**.

Unless a consent to proceed before this Court has been filed, such motions shall be made returnable before Judge Geraci.

3. A trial date status conference pursuant to Fed. R. Civ. P. Rule 16(e) and Local Rule 16 will be held, if necessary, at a date and time to be determined by the trial judge after determination of dispositive motions. If no dispositive motions are filed, counsel shall immediately contact the trial judge so that a trial date status conference can be scheduled.

At least seven (7) days prior to the trial date status conference, the parties shall file a joint case status report setting forth the information described below. If the parties disagree as to the information to be provided, the report must set forth their different responses.

The joint status report shall contain:

- (1) Nature of the Case: Set forth a brief description of the action, identifying the parties, all counsel of record, the relief requested, any affirmative defenses and any relationship the case may have to other pending actions.
- (2) Motion Practice: Are any motions, dispositive or non-dispositive, pending? If so, briefly describe the motion. Explain if additional motion practice is necessary before the matter is ready to be tried.
- (3) Settlement: Describe the status of settlement negotiations. If the parties believe a court supervised settlement/mediation conference would be of assistance in resolving the case or narrowing disputed issues, please state.
- (4) Trial: State whether the case is ready for trial. If not, explain why. Set forth an estimate of how long the trial will take and whether the case is jury or non-jury.

**NO FURTHER EXTENSIONS SHALL BE GRANTED ABSENT A  
SHOWING OF GOOD CAUSE.**

**IT IS SO ORDERED.**

*s/Marian W. Payson*

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MARIAN W. PAYSON  
United States Magistrate Judge

Dated: Rochester, New York  
October 14, 2021